

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

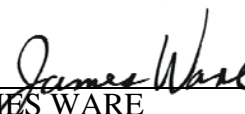
NO. C 04-04908 JW

In re UTSTARCOM, Inc. Securities Litigation

**ORDER CONTINUING HEARING ON  
MOTIONS**

Presently before the Court are Defendants' Motion to Dismiss or Strike the Fourth Amended Complaint (Docket Item Nos. 257, 258), Defendant's Softbank's Motion to Strike (Docket Item No. 271), and James Bartholomew's Motion to Intervene and to Strike Allegations (Docket Item Nos. 252, 253) set for hearing on December 15, 2008. Having reviewed the parties' papers, the Court finds that the motions cannot be heard on its regular law and motion calendar. Accordingly, the Court CONTINUES the hearing from December 15, 2008 to **January 16, 2009 at 9 a.m.** to provide sufficient time for the parties to present their positions.

Dated: November 20, 2008

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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**Dated: November 20, 2008**

**Richard W. Wieking, Clerk**

**By: /s/ JW Chambers**

**Elizabeth Garcia  
Courtroom Deputy**